

I hereby certify that this correspondence is being deposited with the United States Postal Service, sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
Washington, D.C. 20231  
on August 15, 2001

\_\_\_\_\_  
Date of Deposit

Jonathan P. Taylor, Ph.D. Reg. No. P-48,338

Name of applicant, assignee or  
Registered Representative

Jonathan Taylor  
Signature

8/15/01

\_\_\_\_\_  
Date of Signature

Case No. 10466/18

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Franklin Okumu

Serial No.: 09/839,684

Attention: Manager,  
Application Branch

Filed: April 19, 2001

For: SUSTAINED RELEASE  
FORMULATIONS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Commissioner for Patents  
Washington, D.C. 20231

Attn.: Box Missing Parts

Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated June 15, 2001, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

Applicant is:

a small entity, verified statement is:

attached

already filed

other than small entity

Checks totaling \$1416 for:

Filing Fee of \$710.

Surcharge of \$130.

Additional Claim Fees of \$576.

Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).

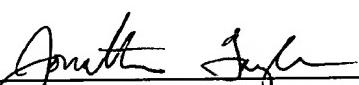
Other: \_\_\_\_\_.

The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated:

8/15/01

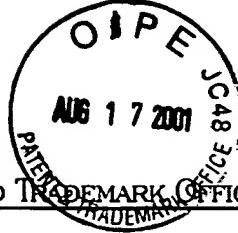
  
\_\_\_\_\_  
Jonathan P. Taylor  
Registration No. P-48,338  
Representative for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

rev. Dec.-99  
Document2



UNITED STATES PATENT AND TRADEMARK OFFICE



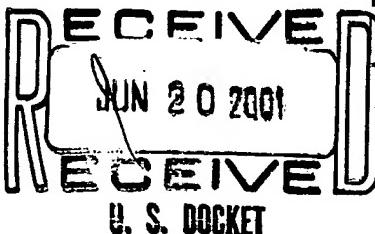
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/839,684	04/19/2001	Franklin Okumu	10466/18

BRINKS HOFER GILSON & LIONE

CONFIRMATION NO. 1800

FORMALITIES LETTER



Date Mailed: 06/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$576.
  - \$576 for 32 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1416.

*A copy of this notice MUST be returned with the reply.*

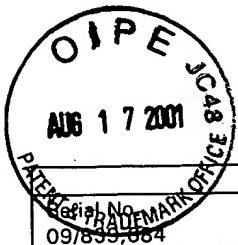
08/20/2001 SZEUDIE1 00000050 09839684

01 FC:101	710.00 OP
02 FC:103	576.00 OP
03 FC:105	130.00 OP

*Takhi E. my*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



AUG 17 2001

#3 N Sector  
SA

TRANSMITTAL LETTER			Case No. 10466/18
Serial No. 09/833,864	Filing Date April 19, 2001	Examiner	Group Art Unit
Inventor(s) Franklin Okumu			
Title of Invention Sustained Release Formulations <input checked="" type="checkbox"/>			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Response to Notice to File Missing Parts of Application, Declaration, Power of Attorney, check for \$1416, Assignment, Assignment Recordal Letter, check for \$40 and Return Postcard.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- Petition for a \_\_\_\_\_ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

or

Small Entity		Other Than Small Entity	
Rate	Add'l Fee	Rate	Add'l Fee
x \$9 =		x \$18 =	
x 40 =		x \$80 =	
+ \$135 =		+ \$270 =	
Total add'l fee	\$	Total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed..
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Jonathan P. Taylor  
 Registration No. P-48,338  
 Attorney for Applicant  
 Representative

BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, ILLINOIS 60610  
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 15, 2001.

Date: 8/15/01

Signature: